

Robert S. Largess, Jr., Chair
 Scott Paul, Vice-Chair
 William Talcott
 Walter A. Baker
 Michael Gagan
 Erica McCallum, Associate

Jennifer S. Hager
 Community Development Director



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TOWN OF SUTTON PLANNING BOARD & DEPARTMENT

NOTICE OF DECISION SITE PLAN SPECIAL PERMITS FOR ROUTE 146 OVERLAY DISTRICT & GROUNDWATER PROTECTION DISTRICT

February 28, 2024

Town Clerk, Town of Sutton

At a meeting held on February 26, 2024, the Sutton Planning Board, in accordance with Zoning Bylaw IV.C. -- Site Plan Review, V.D. -- Route 146 Overlay District, and V.B. Groundwater Protection District, voted to approve the **Site Plan and Special Permit** applications. The applications were submitted by Eastland Partners, Inc of Worcester, MA for property owned by them at 100 Worcester Providence Turnpike. The applicant requested to construct a 28,800 sf building for service and repair of semi-trailers with associated site work.

Public hearings concerning the application and associated project were held on the following evening(s): 1/22/24, 2/5/24, & 2/26/24

The Planning Board conducted deliberations on the following evening: 2/26/24

Hearing Attendance/Absence:

1/8/24	R. Largess, Jr., S. Paul, W. Talcott, W. Baker, M. Gagan, E. McCallum (associate, absent)
1/22/24	R. Largess, Jr., S. Paul, W. Talcott, W. Baker, M. Gagan, E. McCallum (associate)
2/5/24	R. Largess, Jr., S. Paul, W. Talcott, W. Baker, M. Gagan, E. McCallum (associate, absent)
2/26/24	R. Largess, Jr., S. Paul, W. Talcott, W. Baker, M. Gagan, E. McCallum (associate)

Eligible to vote: R. Largess, Jr., S. Paul, W. Talcott, M. Gagan, W. Baker

In addition to the Board and Town bodies, the following individuals raised questions and/or expressed concerns with the applications: J. Marran (80 Burbank Road), William Pepka (36 Sibley Road)

In addition to the applicant and their representatives, the following individuals spoke in favor of the application:
 None

The Board granted the following waivers after findings in open meeting:

- IV.B.4.e. To allow a driveway width greater than 30' having found a greater width is necessary to provide enough room for safe maneuverability of large vehicles into and out of the site.
- V.D.4.a.3. To allow work on slopes in excess of 15% having found these slopes were artificially created for the prior drive in operations and need to be adjusted accommodate adequate maneuvering on site. They will be made more gradual and proper erosion control measures will be employed during and after construction.
- V.D.4.c.2.d. To eliminate facilities to enhance transit services.
- V.D.4.c.3.d. To allow more than 25% of parking in front of the building having found that site configuration requires a larger percentage of the parking be located in front of the building mitigated by topography and landscaping elements.
- V.D.4.c.3.f. To allow broom finished sidewalks instead of brick or block having found this is not a site open to the general public nor are the sidewalks visible from the public way and this particular use won't benefit from this extra expense.
- V.D.4.c.3.g. To eliminate car and van pool parking spots having found this particular business with minimal employees would be better served by an additional unrestricted parking spot.

Approval was based on the following Site Development plan:

Turning Point Engineering (rev 1/29/24) for Northeast Great Dane (Eastland Partners, Inc.)

Cover Sheet	C-0.0
General Notes	C-1.1
Location Plan	C-1.2
Existing Conditions & Demolition Plan	C-2.1
Layout & Materials Plan	C-3.1
Utility Plan	C-4.1
Grading & Drainage Plan	C-5.1
Erosion Control Plan, Notes & Details	C-6.1 – C-6.3
Construction Details	C-7.1 – C-7.5
Open Space Plan	C-8.1
Site Lighting Photometric Plan	C-9.1
Landscape Plan	L-1.0
Landscape Schedule & Details	L-2.0
Landscaping Notes	L-3.0

The Boards approval was based on the following conditions:

Prior to Plan Endorsement:

1. The Applicant shall submit an O & M plan approved by the Town's consulting engineer.
2. The Applicant shall revise landscape plans to address all related comments from the review memo dated 2/23/24 from the Community Development Director.
3. The Applicant shall address all comments from the Review Letter date 2.23.24 from Graves Engineering.

General:

4. Within a month of the appeal period concluding, the applicant shall provide a final set of plans with waivers granted and conditions of approval on the plan set for the Board's endorsement as the record set of plans upon which construction shall be based.
5. Unless a specific exception is approved by the Planning Director or Building Commissioner,

construction shall be limited to Monday through Friday, 7:00 a.m. to 5:00 p.m. and Saturdays, 8:00 a.m. to 12:00 p.m., and shall exclude Sundays and the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, after 12 PM on Christmas Eve, and Christmas. From November 15th to April 1st equipment may be started at 6:30 a.m. but no construction may commence until 7:00 a.m. unless a specific exception is granted as noted above.

6. During any construction, the Applicant shall maintain all feasible and reasonable means of dust control and shall collect all trash and debris daily.
7. The Applicant shall implement measures to ensure that noise during construction activities does not exceed acceptable levels, as set forth by Federal and State regulatory agencies. The Applicant shall cease any excessively loud noise during construction activities when directed by a duly appointed agent of the Board. No excessively loud activities are permitted prior to 8:00 AM or after 5:00 PM.
8. The Board reserves the right to review landscaping for the purpose of requiring the addition of plants or screening materials which may be reasonably necessary to complete the intended aesthetics and screening.
9. The Board reserves the right to review lighting and require adjustments if they find it to be a danger or nuisance.
10. The Board reserves the right to review and assess noise complaints related to onsite operations. If the applicant/operator fails to cure or remedy a complaint the Board deems to be valid within a reasonable time as determined by the Board, the Board reserves the right to require the applicant and/or operator to provide adequate mitigation.
11. Loaded earth removal trucks may not exit the site during peak hours of 6:30-8 AM and 5 to 6:30 PM.
12. The applicant must provide a minimum of 4 weeks' notice if they anticipate blasting will be necessary on the site in order for the Board to establish an education and notification process for abutters and to evaluate and require mitigation of any potential impacts, all to be funded and carried out by the applicant with oversight of the Planning Board.
13. The yard dogs used to move trailers on the site will not have backup alarms. If the Applicant intends to utilize back up alarms on this equipment, they must return to the Board for discussion about the noise impacts.

Prior to Commencement of Construction:

14. All required approvals and/or permits shall be received from applicable permitting authorities except MassDOT which shall be received prior to issuance of the building permit.
15. The applicant shall request permission from MassDOT to remove any compromised trees within their right of way while site tree removal is being undertaken. Evidence of this request and response from the State shall be provided to the Planning Board.
16. The applicant must maintain vegetation along Worcester Providence Turnpike to ensure clear sight lines for entering and exiting the site.
17. A pre-construction meeting shall be held with the Community Development Director and other Town staff as appropriate, the Town's consulting engineer, the applicant and/or his representative, the applicant's engineer, and the applicant's construction supervisor, and a representative from the blasting contractor if applicable. Minutes shall be drafted by the Town's consulting engineer and provided to all parties in attendance within 48 hours for approval prior to construction start to ensure all parties are in agreement.

18. The applicant will provide a minimum of one week's notice to review staked limits of clearing with a Planning Board representative.

Prior to Issuance of Building or Sign Permits:

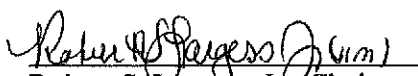
19. Prior to issuance of permits for signage, the applicant shall submit a compliant sign design and receive approval from the Planning Board.

Prior to Issuance of Occupancy Permits:

20. Once HVAC equipment is installed, it's visibility shall be reviewed by the Planning Board or their agent and a determination shall be made if screening is required. If it is required, it shall be installed prior to issuance of a certificate of occupancy.
21. Prior to issuance of a certificate of occupancy, security systems and all necessary amplifiers shall be installed as required by the Police and Fire Chiefs.
22. Prior to issuance of a certificate of occupancy on any building, the Applicant shall submit to the Planning Board and receive approval for an As-Built Plan and written certification from the Project's engineer that the site and all infrastructure to serve this area of the site has been constructed substantially in accordance with the Site Plan. Additionally, the Applicant shall provide an As-Built plan to the Town of Sutton Assessors in accordance with their requirements.
23. Prior to issuance of occupancy on any structure a lock box with building access keys and/or codes, a building layout plan and emergency contact shall be installed to the satisfaction of the Fire Department.
24. All exterior doors and roof access shall be marked on the interior and exterior with reflective, sequential numbering that is reflected on the building layout plans in the lock box.
25. The Fire Departments shall be given the opportunity to tour the building to orient themselves with the new structure.
26. The building occupant shall detail the method and location of snow removal from trailers before they leave the site.

Site Maintenance:

27. The Applicant shall ensure proper maintenance of plantings on the site, including immediate replacement of dead or diseased plantings unless it is winter or summer, in which case in the following planting season.
28. The applicant shall comply with the final O&M plan for the site drainage systems. Inspection and maintenance shall be performed in accordance with the recommended schedule and a written report shall be prepared by the inspector, including any required correction actions to be taken, such report to be submitted to the Planning Board within fourteen (14) business days of owner's receipt of the report. Any required correction actions shall be promptly implemented by the owner at its expense.


 Robert S. Largess, Jr., Chair

cc:	Town Manager	Select Board	Building Commissioner
	Board of Assessors	Fire Department	Police Department
	Highway Department	Wilkinsonville Water	Sewer Department
	Board of Health	Parties in Interest	Applicant

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100 Worcester Providence Turnpike
Site Plan, Special Permits & Earth Removal/Disturbance

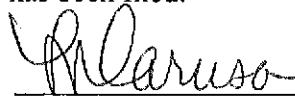
Filed in the Town Clerk's office February 28, 2024



Laura J. Caruso, Town Clerk

This decision is subject to appeal in accordance with M.G.L. c. 40A § 17 within 20 days after this decision if filed with the Town Clerk.

I, Hereby certify that twenty-one days have lapsed since the filing of the above reference decision in the Town Clerk's office on March 21, 2024 and that no appeal has been filed.



Laura J. Caruso, Town Clerk

NOTE:

The project permitted herein must commence construction within two (2) years from the date filed in the Town Clerk's office or this permit will no longer be valid.

Worcester South District Registry of Deeds Electronically Recorded Document

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Recording Information

Document Number	: 22663
Document Type	: DECN
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Recording Fee	: \$105.00

Worcester South District Registry of Deeds
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